

### REMARKS

Claims 117 to 174 are pending in this application; of which, claims 117 and 146 are the independent claims. Applicants have cancelled claims 1 to 31 and 59 to 89 and rewritten them as new claims 117 to 174 to more distinctly claim the invention. Applicants respectfully point out that support for these claims are found in the specification (e.g., see page 44, line 30 to page 45, line 18 of Applicants' specification). Favorable reconsideration and further examination are respectfully requested.

Initially, Applicants held a teleconference with the Examiner on Wednesday, March 29, 2006 to discuss whether the office action was a non-final office action as indicated on the coversheet of the office action and in the USPTO information systems (e.g., PALM and PAIR) or a final office action as indicated on page 12 of the office action. The Examiner indicated that the office action is a non-final office action. The Examiner also tentatively agreed that Schneier does not show a root node at a start of an attack but is the goal of the attack.

Claims 1 to 10, 16 to 31, 59 to 68 and 74 to 89 were rejected under 35 U.S.C. § 103(a) as being anticipated by Schneier (U.S. Patent Number 5,850,516) in view of Steffan et al ("Collaborative Attack Modeling").

Claim 117 is directed to a method which includes using a computer to generate a pruned attack tree. Using the computer includes designating a root node of the pruned attack tree. The root node represents a starting point of an attack. Using the computer also includes, for a current node included in the pruned attack tree, connecting a resulting node having a first state and an

edge having a first transition value to the current node if determined another edge having a second transition value does not connect an ancestor of the current node to another node having a second state equivalent to the first state; and if determined the second transition value is equal to the first transition value.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In particular, neither Schneier nor Steffan disclose or suggest a root node representing a starting point of an attack.

Specifically, Schneier discloses a root node as "the goal of the attack" (see column 6 lines 44 to 47 of Schneier). Applicants respectfully point out that that Applicants had previously mentioned this point in the previous office action response (see page 23, lines 18 and 19 of previous office action response). Therefore, Schneier does not disclose or suggest the root node representing the starting point of an attack.

Steffan describes a top node "which represents the achievement of the attack's ultimate goal" (see section 3.1 paragraph 2 of Steffan); however, Steffan does not describe a root node much less a root node representing a starting point of an attack. Therefore, Steffan does not disclose or suggest the root node representing the starting point of an attack

Even if Schneier and Steffan were combined, the hypothetical combination would not disclose or suggest the root node representing the starting point of an attack. Applicants submit that claim 1 is allowable.

Claim 146 is an article having corresponding features to claim 117. Applicants submit that claim 146 is patentable for at least the same reasons as claim 117.

For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

Applicants submit that all dependent claims now depend on allowable independent claims.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that the entire application is now in condition for allowance. Such action is respectfully requested at the Examiner's earliest convenience.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at (781) 401-9988 ext. 23.

Applicants : Lippmann et al.  
Serial No. : 10/734,083  
Filed : December 11, 2003  
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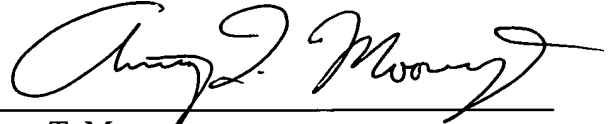
Attorney's Docket No.: MIT-186PUS

No fee is believed to be due for this Response; however, if any fees are due, please apply such fees to Deposit Account No. 50-0845 referencing Attorney Docket: MIT-186PUS.

Respectfully submitted,

Date: \_\_\_\_\_

6 April 2006



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